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Federal Communications Commission  
Office of Secretary

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of )  
 )  
Telephone Number Portability ) CC Docket No. 95-116  
 )

TO: The Commission

REPLY COMMENTS OF NEXTEL COMMUNICATIONS, INC.

NEXTEL COMMUNICATIONS, INC.  
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and Chief Regulatory Officer

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Date: March 10, 1998

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I. INTRODUCTION

Pursuant to Public Notice of the Federal Communications Commission ("Commission"),<sup>1/</sup> Nextel Communications, Inc. ("Nextel") respectfully submits these Reply Comments on the Cellular Telecommunications Industry Association's ("CTIA") Petition for Forbearance from the Commercial Mobile Radio Service ("CMRS") obligation to provide local number portability ("LNP").<sup>2/</sup>

On February 23, 1998, Nextel filed comments opposing the five-year extension. Three other parties, MCI Telecommunications, Worldcom and The Telecommunications Resellers, also opposed the extension. The parties supporting CTIA's request for a five-year extension incorrectly limit the scope of their arguments to the impact of LNP on the wireless industry without considering the

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<sup>1/</sup> Public Notice, "Wireless Telecommunications Bureau Seeks Comment on CTIA Petition Requesting Forbearance From CMRS Number Portability Requirements," CC Docket No. 95-116, DA 98-111, released January 22, 1998.

<sup>2/</sup> Petition for Forbearance of the Cellular Telecommunications Industry Association, filed December 16, 1997 in CC Docket No. 95-116 (hereinafter "Petition").

overall telecommunications marketplace. Because wireless LNP has the potential to increase the competitiveness of wireless carriers not only within the wireless industry, but throughout the entire telecommunications marketplace as well, the Commission should not grant CTIA's Petition. Forbearance from wireless LNP is not justified under the criteria of the Communications Act of 1934, as amended.<sup>3/</sup>

## II. DISCUSSION

The wireless carriers supporting CTIA's forbearance request limit their arguments to developments in the wireless marketplace without considering the long-term impact of wireless LNP on the overall telecommunications industry. While providing examples of the wireless industry's growing competitiveness, and highlighting its churn rate as proof that wireless LNP is unnecessary, these commenters failed to address whether wireless LNP is necessary to promote competition among wireline and wireless companies.

While such wireline-wireless competition may not be in the immediate future, wireless telecommunications services may be in a position to compete with local exchange services in the future.<sup>4/</sup> However, real competition among wireline and wireless services will only reach its full potential if wireless carriers have the capability to attract wireline customers to their wireless systems

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<sup>3/</sup> 47 U.S.C. Section 160(a).

<sup>4/</sup> In fact, it was in large part the promotion of such competition that led to the Commission's decision to impose LNP on certain CMRS carriers. See First Report and Order and Further Notice Of Proposed Rule Making, 11 FCC Rcd 8352, 8433 (1996).

by permitting the user to keep his/her telephone number. By postponing the wireless LNP obligation for five years or eliminating it altogether, the Commission would lose an opportunity to promote additional competition in the overall telecommunications marketplace. The wireless telecommunications industry should not be put at a long-term competitive disadvantage to achieve the short-term construction and coverage goals of a handful of wireless carriers.

Nextel is prepared to undertake the steps necessary to implement LNP while building out a nationwide digital CMRS system. Unlike other wireless carriers, however, Nextel does not believe that extensive system buildout justifies postponement of this important competitive tool.<sup>5/</sup> As noted above, wireless LNP could position Nextel to compete in the future with wireline companies, whether local exchange carriers, cable companies or wireline competitors using other technologies.

In the interim, wireless LNP would provide Nextel important opportunities to attract additional wireless customers to its digital wide-area SMR system. Permitting an existing cellular or PCS customer to keep its telephone number when subscribing to Nextel's services would significantly increase Nextel's attractiveness to hundreds of thousands of additional potential

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<sup>5/</sup> Nextel supports CTIA's separate request that the Wireless Telecommunications Bureau, under delegated authority, extend the June 30, 1999 CMRS LNP implementation deadline for nine months, until March 30, 2000. Nextel believes that the industry has demonstrated that significant technical barriers remain unresolved that require this additional nine months for resolution and development of CMRS LNP industry standards.

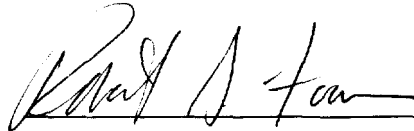
customers. The same is true for all wireless competitors. As a result, all wireless carriers would be forced to enhance their product and service offerings, and increase their competitiveness in order to continue serving their existing customer base and attracting new users, thereby promoting the public interest in a robustly competitive CMRS industry.

The wireless industry's assertions regarding short-term competitiveness do not justify forbearance from wireless LNP. Nextel does not disagree that system coverage and reliability are significant tools to competing with other -- particularly incumbent -- wireless carriers; it takes issue, however, with claims that LNP is not necessary for increased competition, and that it cannot be accomplished while building out wireless telecommunications systems. Given the significant public interest benefits associated with LNP -- whether wireline or wireless -- the Commission should not forbear from applying this obligation to CMRS carriers.

III. CONCLUSION

For these reasons, Nextel requests that the Commission deny the request for a five-year extension of the wireless LNP obligation.

Respectfully submitted,



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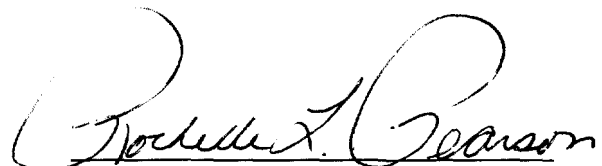
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Date: March 10, 1998

## CERTIFICATE OF SERVICE

I, Rochelle L. Pearson, hereby certify that on this 10th day of March 1998, I caused a copy of the attached Reply Comments of Nextel Communications, Inc. to be served by hand delivery to the following:

Janice Jamison  
Commercial Wireless Division  
Wireless Telecommunications Bureau  
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Rochelle L. Pearson